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5 *Attorneys for BELLE ESPRIT*

*HOMEOWNERS ASSOCIATION*

6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 NATIONAL DEFAULT SERVICING  
9 CORPORATION,

10 Plaintiff,

11 vs.

12 VICTOR MAESTAZ, an unmarried man;  
13 REAL TIME RESOLUTIONS, INC., a  
14 Foreign Corporation; THE BANK OF NEW  
15 YORK MELLON FKA THE BANK OF  
16 NEW YORK, AS SUCCESSOR TRUSTEE  
17 TO JPMORGAN CHASE BANK, N.A., AS  
18 TRUSTEE, ON BEHALF OF THE  
19 CERTIFICATEHOLDERS OF THE  
20 CWHEQ INC., CWHEQ REVOLVING  
HOME EQUITY LOAN TRUST, SERIES  
2006-H, a Foreign Business Corporation;  
BELLE ESPRIT HOMEOWNERS  
ASSOCIATION, a Domestic Nonprofit  
Corporation; INTERNAL REVENUE  
SERVICE, a Government Agency; and  
DOES 1 through 10 and ROE BUSINESS  
ENTITIES 1 through 10, inclusive,

21 Defendant.

Case Number:

2:22-cv-01027-MMD-EJY

**STIPULATION REGARDING THE**  
**DISTRIBUTION OF THE EXCESS**  
**PROCEEDS ON DEPOSIT WITH THE**  
**COURT**

22 IT IS HEREBY STIPULATED AND AGREED by and between the remaining parties  
23 to this action: Defendant Belle Esprit Homeowners Association ("HOA"); Defendant United  
24 States on behalf of the Internal Revenue Service ("IRS"); and Defendants Real Time  
25 Resolutions, Inc. and The Bank Of New York Mellon fka The Bank Of New York, as  
26 Successor Trustee to JPMorgan Chase Bank, N.A., as Trustee, on behalf of the Certificate  
27 holders of the CWHEQ Inc., CWHEQ Revolving Home Equity Loan Trust, Series 2006-H  
28

1 (“BANK”) (collectively “PARTIES” or “PARTY”), by and through undersigned and  
 2 respective counsel of record, hereby stipulate and agree as follows:

3 IT IS HEREBY STIPULATED AND AGREED that the IRS, HOA and BANK are  
 4 the remaining parties to this action;

5 IT IS HEREBY STIPULATED AND AGREED that each of the PARTIES have valid  
 6 legitimate claims to the ONE HUNDRED TWENTY THREE THOUSAND THREE  
 7 HUNDRED NINE DOLLARS AND EIGHTY-SIX CENTS (US \$123,309.86) that was cash  
 8 deposited with the Court by the Plaintiff (“DEPOSITED FUNDS”), who was previously  
 9 released and discharged from this action;

10 IT IS HEREBY STIPULATED AND AGREED that the PARTIES have agreed to a  
 11 resolution and settlement of their respective allegations and defenses at issue herein;

12 IT IS HEREBY STIPULATED AND AGREED that the DEPOSITED FUNDS shall  
 13 be released and disbursed to the PARTIES based on a pro-rata basis of their respective  
 14 monetary claims as follows:

<b>PARTY</b>	<b>Monetary Claim (Principal Amount)</b>	<b>Pro-Rata Amount to be Released / Disbursed out of the \$123,309.86</b>
IRS	\$24,452.43	\$19,799.14
HOA	\$17,838.35	\$14,443.71
BANK	\$110,000.00	\$89,067.01

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IT IS HEREBY STIPULATED AND AGREED that after the DEPOSITED FUNDS are released and disbursed to the PARTIES, there are no other outstanding issues or claims to be resolved or need be addressed by the Court; and, thus, this action may be closed.

Dated 27th day of January 2023

Dated 25th day of January 2023

MARQUIS AURBACH

ZBS LAW, LLP

/s/Cody S. Mounteer, Esq.

/s/J. Stephen Dolembro, Esq.

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*Attorneys for Defendants Real Time  
Resolutions, Inc. and The Bank Of New  
York Mellon fka The Bank Of New York, as  
Successor Trustee to JPMorgan Chase  
Bank, N.A., as Trustee, on behalf of the  
Certificateholders of the CWHEQ Inc.,  
CWHEQ Revolving Home Equity Loan  
Trust, Series 2006-H ("BANK")*

Dated 25th day of January 2023

/s/ Stephen R. Hanson, Esq.

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Internal Revenue Service ("IRS")*

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National Defaulting Service Corp. v. MAESTAZ  
Case No. 2:22-cv-01027-MMD-EJY

**ORDER**

**IT IS SO ORDER.**

DATED 30th day of January, 2023

  
UNITED STATES DISTRICT COURT JUDGE

Submitted by:

Dated this 27th day of January 2023.

MARQUIS AURBACH

/s/Cody S. Munteer, Esq.

Cody S. Munteer, Esq.

Nevada Bar No. 11220

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*Attorney for Belle Esprit Homeowners*

*Association ("HOA")*

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